

### REMARKS

Reconsideration and allowance in view of the following remarks are respectfully requested. Claim 19 has been allowed over the prior art. Favorable consideration of Claims 1-18 and 20-42 is respectfully requested.

### THE REJECTION UNDER 35 U.S.C. §103(a)

Claims 1-18 and 20-42 were rejected under 35 U.S.C. §103(a) as being unpatentable over Darago, et al. (U.S. Patent No. 6,282,573; hereafter "Darago") in view of Traversat et al. (U.S. Patent 6,161,125; hereafter "Traversat"). This rejection, as applied to Claims 1-18 and 20-38, was previously presented in the Office Action of November 1, 2002. To avoid redundancy, the Applicant respectfully maintains their traversal of the rejection, and further maintains the substance of the arguments previously presented in the Response of May 1, 2003. The arguments are also applicable for previously presented dependent Claims 39-42, as discussed below.

In particular, as acknowledged in both the Office Action of November 1, 2002, and the outstanding Office Action of July 11, 2003, Darago does not explicitly teach registration information for manufacturers of components of the client computer. To compensate for the acknowledged deficiency of Darago, relative to the claimed invention, both of the aforementioned Office Actions assert that Traversat teaches the step of registration information for manufacturers of components of the client computer, with support being attributed to Traversat, Figs. 6a-c, col. 10, line 29 - col. 11, line 11.

In the Response of May 1, 2003, the Applicant respectfully disagreed, submitting that Traversat does not disclose or suggest collecting registration information for manufacturers of components of the client computer as recited in, *e.g.*, Claim 1. In particular, it is noted that none of the information on particular types of computers made by computer manufacturers mentioned in the above-listed cited portions of Traversat include any reference, mention or even suggestion of collecting registration information for manufacturers of components of a client computer as recited in Claim 1. In addition, the Applicant further submits, Traversat does not even contemplate collecting registration information for manufacturers of components of a client computer. Such feature is not taught or even suggested by the reference. As indicated above, the entire substance of these arguments, previously submitted on May 1, 2003, is incorporated herein in its entirety.

In response to the Applicant's arguments, the outstanding Office Action cites Traversat, Fig. 3, and col. 3, lines 23 - col. 4, line 6, in addition to the repeated cites of Traversat, Figs. 6a-c, and col. 10, line 29 - col. 11, line 11.

It is respectfully submitted, that even the newly cited portions of Traversat fail to teach or suggest collecting registration information for manufacturers of components of the client computer, as recited in, *e.g.*, Claim 1. More specifically, at col. 3, line 23 - col. 4, line 6, Traversat describes a data schema having a client schema sub-component and a server schema sub-component. The server schema is described as storing: user preferences and profiles; client computer platform and profile information; and persistent memory areas contain data entries having a name, related nodes, property names, and associated

property values (col. 3, lines 23-35). In other aspects, Traversat describes a data schema having a root node and intermediate nodes that represent or store categorical information relating to the computer network and client computer, and the schema also contains configuration information corresponding to the categorical information in the intermediate nodes (col. 3, lines 36-45 and 62-67). In the newly cited portions of Traversat, clearly, there is no mention, whatsoever, of the collection of registration information for manufacturers of components of a client computer, as recited in *e.g.*, Claim 1.

Assuming *arguendo* that Traversat did register information for manufacturers of components of a client computer, both Darago and Traversat lack any teaching that would even suggest a combination of the references. In rejecting Claims 1, 8, 14, 23, and 28, the rejection states that the proposed combination of references would have been obvious, "because it would have an efficient communication system that client computer provides all the registration information software and hardware version to servers in order to make servers can communicate and provide appropriate and suitable information to client with different type of client's platform." The Applicant respectfully submits that such rationale is grounded in hindsight, which is an improper basis for an obviousness rejection. More particularly, on page 1, lines 8-13, in the Background of the Invention portion of the present application, the Applicant states:

...it is beneficial for the manufacturers of both the computers and the software the computers run to have information on the manner in which the computers and software are used, as well as information on the users of the computers and software. Having such information assists the

manufacturers in designing and creating computers and software that are more useful and better aligned with users' needs and desires.

The Applicant respectfully submits a comparison of the motivation to combine Darago and Traversat asserted in the rejection with the above Background description clearly shows that the motivation to combine has been provided by none other than the Applicant. Thus, a *prima facie* case of obviousness has not been established in view of MPEP §2143, which states, "The teaching or suggestion to make the claimed combination and the reasonable expectation of success must be found in the prior art, not in the applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991).

Accordingly, it is respectfully submitted that all of the independent claims are distinguishable over the proposed combination of references, and at least such arguments may be applied to distinguish the corresponding dependent claims.

Furthermore, in the Response of May 1, 2003, the Applicant further argued that Darago and Traversat do not teach or suggest establishing two connections to two registration servers via the same communication link. For example, Claim 1 recites, in part (with emphasis added):

establishing a communication link between the client computer and a network;

establishing a first connection, via the communication link, to a first registration server of a plurality of registration servers;

communicating at least a first portion of the registration information to the first registration server via the first connection;

establishing a second connection, via the communication link, to a second registration server of the plurality of registration servers.

The Applicant respectfully submits that antecedent basis for both recitations of "via the communication link" has clearly been established by the claimed, "establishing a communication link between the client computer and a network." For the rejection to disregard such clearly established antecedent basis is groundless. Tellingly, the Office Action does not reject the claims citing a lack of antecedent basis under 35 U.S.C. §112, second paragraph, for indefiniteness.

Regardless, for at least all of the reasons advanced both in the Response of May 1, 2003, and above, it is respectfully submitted that Claims 1-18 and 20-42 are distinguishable over the proposed combination of references, and therefore the rejection under 35 U.S.C. §103(a) should be withdrawn.

#### CONCLUSION

The remaining references of record have been considered. It is respectfully submitted that they do not compensate for the deficiencies of any of the references utilized in rejecting the pending claims.

All objections and rejections having been addressed, it is respectfully submitted that the present application is now in condition for allowance. Early and forthright issuance of a Notice of Allowability is respectfully requested.

Respectfully Submitted,

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Dated: 10/10/03

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OCT 14 2003

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